

**AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH**

Commonwealth of Virginia Va. Code §§ 8.01-301, -329; 55-218.1; 57-51

APR 17 2017

JULIA C. DODLEY, CLERK

BY: *[Signature]* DEPUTY CLERK

United States (W.D. Va., Charlottesville Division)

District Court

Chris Morgan, individually and on behalf of all

v.

First American Merchant Services, LLC

others similarly situated

Aleksandr Sukhotskiy, Agent

4311 Colfax Ave., Unit 221, Studio City, CA 91604

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☐ Warrant ☐ Motion for Judgment ☒ Summons and Complaint and Amended Complaint

I, the undersigned Affiant, state under oath that:

☒ the above-named defendant ☐

whose last known address is: ☒ same as above ☐

- ☒ is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on reverse).
- ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT on reverse) and that

is the return date on the attached warrant, motion for judgment or notice (see TIME FOR SERVICE REQUIREMENT on reverse)

3/29/17

DATE

☐ PARTY

☒ PARTY'S ATTORNEY

☐ PARTY'S AGENT

State of Virginia

☒ City ☐ County of Petersburg

Acknowledged, subscribed and sworn to before me this 29th day of April

253348

NOTARY REGISTRATION NUMBER

[Signature]

☐ CLERK ☐ MAGISTRATE ☒ NOTARY PUBLIC (My commission expires 01/31/2020)

☒ Verification by the clerk of the court of the date of filing of the certificate of compliance requested. A self-addressed stamped envelope was provided to the clerk at the time of filing of this Affidavit.

NOTICE TO THE RECIPIENT from the Office of the Executive Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE WHEN SERVICE IS MADE ON THE SECRETARY OF THE COMMONWEALTH.

CERTIFICATE OF COMPLIANCE

I, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

- On APR 04 2017, legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
- On APR 10 2017, papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

SERVICE OF PROCESS CLERK, DESIGNATED BY THE AUTHORITY OF THE
SECRETARY OF THE COMMONWEALTH